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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,225	01/28/2004	Yi-Lung Kuo	23724-07838	2599
758	7590	08/14/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041				HAWK, NOAH CHANDLER
		ART UNIT		PAPER NUMBER
		3636		

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/767,225	KUO, YI-LUNG	
	Examiner Noah C. Hawk	Art Unit 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 26 May 2006.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1 and 3-21 is/are pending in the application.  
 4a) Of the above claim(s) 10-21 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1 and 3-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Election/Restrictions*

1. Newly submitted claims 10-21 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The new claims present devices comprising a chassis and computer drives which were not positively claimed in the original presentation.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 10-21 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 and 3-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites the limitation "the cover plate including a window that allows

access to a subset of the drives in the closed position." In Figure 2 of the applicant's specification, the cover plate and window are both shown closed and there is no way to access any of the drives covered thereby. It is unclear how the applicant intends for the cover plate or window to allow access to a subset of the drives.

***Specification***

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The limitation "a subset of the drives" is not defined in sufficient detail in the specification.
5. The specification is further objected to because paragraph 0017 is misdescriptive. The instant paragraph appears to describe the stopper 321 and recess 322 as being parts of the fixed plate 33, but they are shown as elements of the push pedal 32. The applicant must clarify what part these elements belong to.

***Drawings***

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 21, referenced in paragraph 0015. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is

being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 121 and 131, shown in Figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

8. The drawings are objected to because: the exploded detail in figure 1 must be shown in a separate figure or enlarged in the figure. Solid black shading (found in Figure 1) is not permitted. The font used for the "Figure X" label must be larger than that used for reference numbers in the figure. Corrected drawing sheets in compliance with

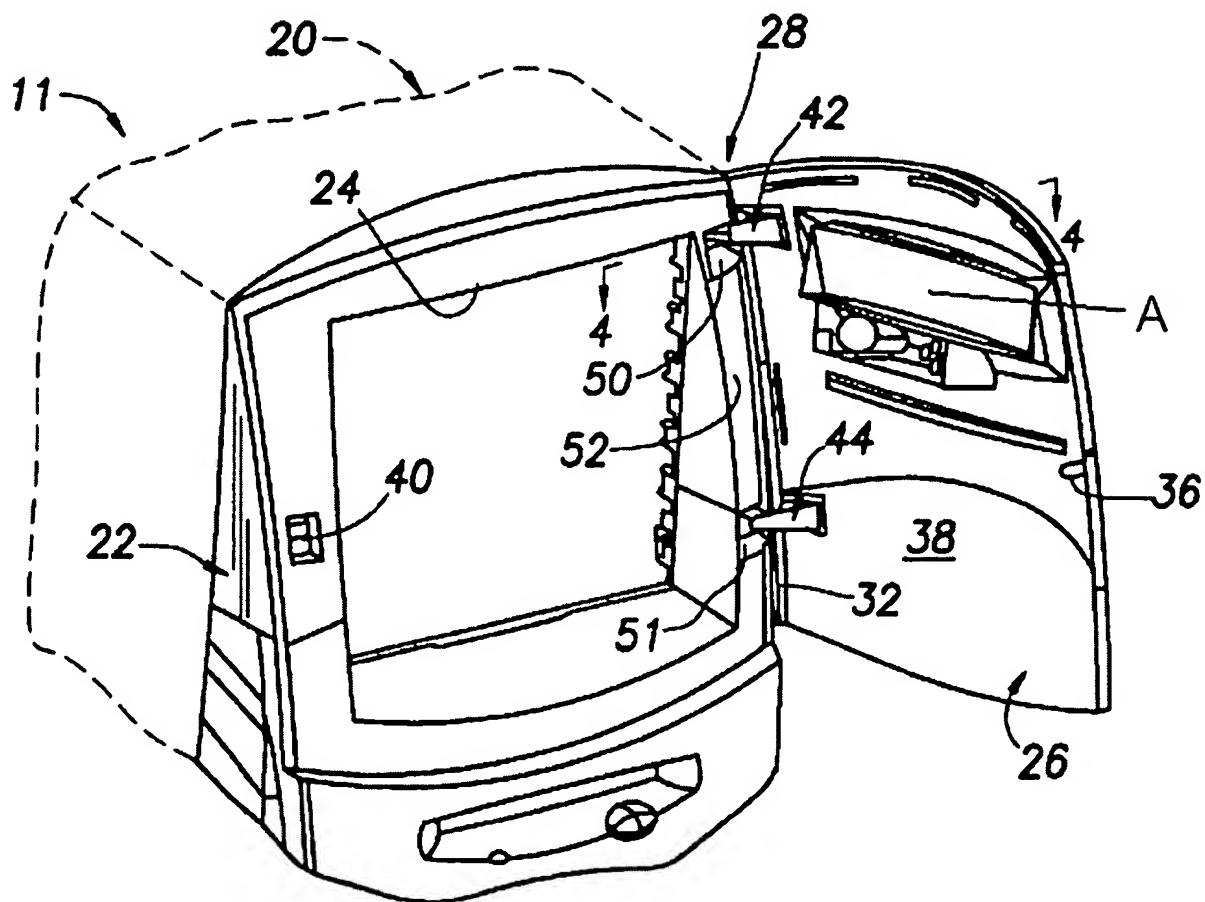
37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Della Fiora et al. in US Patent 6130822 in view of Dong in US Publication 2002/0027771. Della Fiora teaches a face place apparatus comprising an opaque cover plate (26) having a window (A) and a mechanism (42 and 44) for rotatably coupling the cover plate to a computer chassis. Della Fiora fails to teach a drive door to cover the window. Dong teaches a drive door (14) covering a window (12) in a cover plate (10) to further protect the drives underneath. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Della Fiora by adding drive door as taught by Dong in order to further protect the drives under the cover plate.

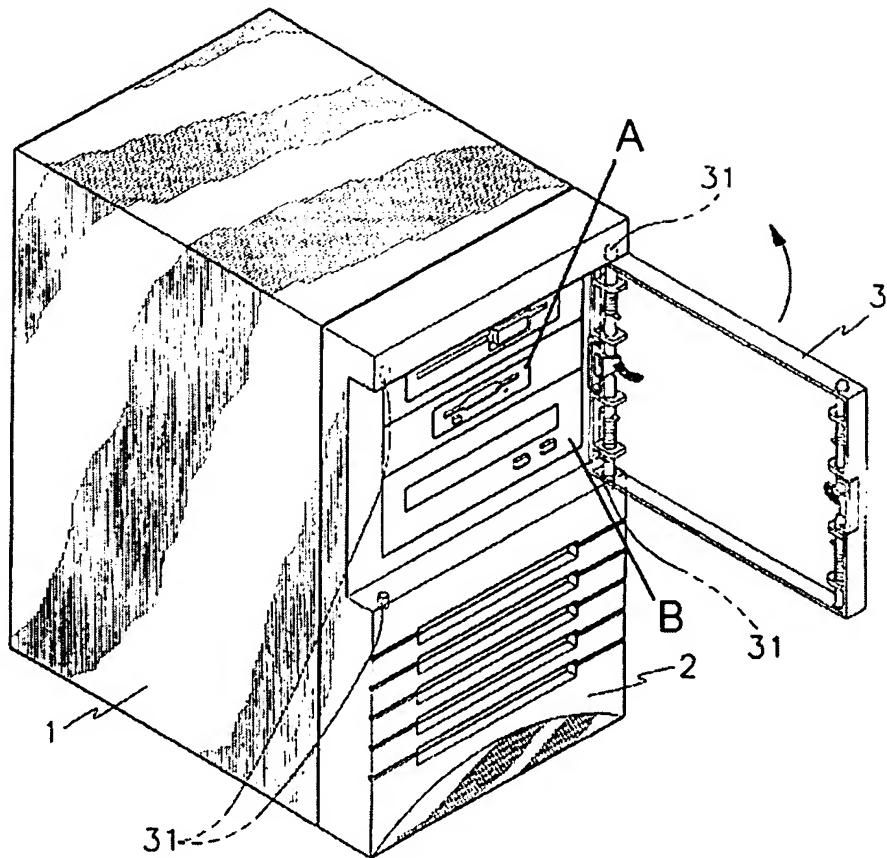


Della Fiora '822, Figure 2B

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Della Fiora, as modified, as applied to Claim 1 above in view of Staph in US Patent 5924757. As stated above, Della Fiora, as modified, discloses all of the limitations of Claim 1 including a face plate apparatus but does not disclose a geared mechanism to slow the motion of the drive door. Staph discloses a door (2) connected to a damper mechanism

(8) via a set of engaged gears (a rack, 12 on the door is connected to a pinion, 10, on the damper). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Della Fiora, as modified, by using a damping mechanism having a set of engaged gears as taught by Stafp in order to prevent the drive door from opening or closing too fast.

12. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Della Fiora, as modified, as applied to claim 1 above, in view of Lee et al. in US Patent 5926916. Della Fiora, as modified, fails to teach that the plurality of interfaces comprises a 3-½ inch and a 5-¼ inch drive or that the drive door conceals the 5-¼ inch drive. Lee et al. discloses a face plate apparatus concealing an interface for a 3 ½-inch drive (A) and an interface for a 5 ¼-inch drive (B) and a drive door (3) that, while in a closed position, is configured to conceal an interface for a 5 ¼-inch drive (B). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Della Fiora, as modified, by using the face plate apparatus to conceal 3 ½ inch and 5 ¼ inch drives and to use a drive door to conceal a 5 ¼ inch drive as taught by Lee et al. in order to protect the drives and allow the user to access the drive more easily.



Lee et al., Figure 2

13. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Della Fiora, as modified, as applied to Claim 1 above in view of Della Fiora et al. in US Patent 6125031. As stated above, Della Fiora, as modified, discloses all of the limitations of Claim 1 including a face plate apparatus but does not disclose a second cover plate. Della Fiora '031 discloses a second cover plate (36) for concealing a plurality of port interfaces (28) of a computer while in a closed position (Best seen in Della Fiora '031, Figure 2). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Della Fiora, as modified by adding a second cover to

conceal a port interface of a computer as taught by Della Fiora '031 in order to protect the port interfaces of a computer.

14. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Della Fiora, as modified as applied to Claim 6 above in view of Della Fiora et al. in US Patent 6125031. As stated above, Della Fiora, as modified, discloses all of the limitations of Claim 6 including a face plate apparatus but does not disclose a second cover plate. Della Fiora '031 discloses a second cover plate (36) for concealing a plurality of port interfaces (28) of a computer while in a closed position (Best seen in Della Fiora '031, Figure 2). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Della Fiora, as modified, by adding a second cover to conceal a port interface of a computer as taught by Della Fiora'031 in order to protect the port interfaces of a computer.

#### ***Response to Arguments***

15. Applicant's arguments with respect to claims 1 and 3-9 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than the date the response is due.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NCH  
8/4/06

  
Tamara L. Graysay  
Examiner  
Art Unit 3636